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U.S. DEPARTMENT OF EDUCATION
OFFICE OF POSTSECONDARY EDUCATION
WASHINGTON, D.C. 20202

APPLICATION FOR GRANT UNDER THE PATRICIA ROBERTS HARRIS FELLOWSHIPS PROGRAM

(Graduate and Professional Study Fellowships)

CFDA Number: 84.094B

FORM APPROVED
OMB No. 1840-0508 EXP. DATE 7/91
ED FORM 591, 8/88

DATED MATERIAL - OPEN IMMEDIATELY

Closing Date: October 13, 1989

ED 1.2:

READEX FICHE best copy available

PATRICIA ROBERTS HARRIS FELLOWSHIPS PROGRAM
GRADUATE AND PROFESSIONAL STUDY FELLOWSHIPS

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UNITED STATES DEPARTMENT OF EDUCATION
WASHINGTON, D.C. 20202

Dear Applicant:

This booklet contains the necessary documents required to apply for the Patricia Roberts Harris Fellowships Program - Graduate and Professional Study Fellowships support for the academic year 1990-91.

The Graduate and Professional Study Fellowships Program provides grants to institutions of higher education to support fellowships for graduate and professional study to students who demonstrate financial need and and who are from minority groups which are traditionally underrepresented in graduate and professional study areas of high national priority.

You may propose up to six areas which can be clearly defined, offering strong, high quality programs of study in which there is a demonstrated need. Both the shortage and demonstrated need should be elaborated upon, including estimates or forecasts of employment opportunities for the fellows in each of the proposed areas. Low priority will continue to be given to applications for which other Federal funds are readily available, especially medicine.

If you are only requesting noncompeting renewal fellowships, you are not required to complete the narrative portion of the application. However, it is important to identify the individual, the subject of study, the year of study, and certify that the student is maintaining satisfactory progress in his/her program of study.

I advise you to read the information provided in this booklet thoroughly before developing your application. It is particularly important that you review the criteria on page F2 and the selection criteria on page F7 that will be used to evaluate your application for a grant award. Each of the funding criteria must be completely addressed to make your case for a new grant award. A proposal will be judged only on that information which is documented.

In the proposal's narrative, it is important to describe the "track record" of the institution as to: (1) recruitment efforts; (2) placement of its fellows; as well as (3) the institutional commitment to the program, such as special funding. Institutional resources such as faculty, laboratories, and libraries that are nationally known and respected should be addressed in the proposal.

If you have any questions or require additional information regarding this program, please contact Dr. Charles H. Miller, Program Manager, or Mrs. Barbara J. Harvey, on telephone: (202) 732-4395 or 732-4863, respectively. Your interest in this program is appreciated.

Sincerely,

Richard L. Fairley
Director
Higher Education Program Services

4000-1

DEPARTMENT OF EDUCATION

CFDA Nos. 84.094B and 84.094C

PATRICIA ROBERTS HARRIS FELLOWSHIPS PROGRAM

AGENCY: Department of Education

ACTION: Combined notice inviting applications under the Patricia Roberts Harris Fellowships Program. New Grant Awards for Graduate and Professional Study Fellowships and Public Service Education Fellowships for Fiscal Year 1990.

PURPOSE OF PROGRAM: Applications are invited for new grant awards under the Patricia Roberts Harris Fellowships Program for Fiscal Year 1990. This program has two components, the Graduate and Professional Study Fellowships and the Public Service Education Fellowships.

The Graduate and Professional Study Fellowship grants are awarded to institutions of higher education to support fellowships for graduate and professional study to students who demonstrate financial need and are from minority groups which are traditionally underrepresented in graduate and professional study areas.

The Public Service Education Fellowships grants are awarded to institutions of higher education to support fellowships for graduate and professional study to students who demonstrate financial need and who plan to pursue a career in public service. Public Service Education Fellowships are intended to provide opportunities for qualified students, particularly individuals from minority groups which are traditionally underrepresented in the graduate area of study or profession for which a fellowship is awarded.

OFFICE OF POSTSECONDARY EDUCATION

CFDA NO.	PROGRAM TITLE	APPLICATIONS AVAILABLE	DEADLINE DATE	DEADLINE FOR INTERGOVERNMENTAL REVIEW	ESTIMATED RANGE OF AWARDS	ESTIMATED AVG. SIZE OF AWARDS	ESTIMATED NUMBER OF AWARDS	PROJECT PERIOD (MONTHS)
84.094B	PATRICIA ROBERTS HARRIS FELLOWSHIPS PROGRAM - Graduate & Professional Study Fellowship	09/08/89	10/13/89	12/15/89	$6,667-$261,333	$87,809	185	9-12
84.094C	PATRICIA ROBERTS HARRIS FELLOWSHIPS PROGRAM - Public Service Education Fellowships	10/20/89	12/15/89	02/16/90	$16,000-$112,000	$47,420	70	9-12

NOTE: The Department is not bound by any estimates in this notice.

DATES: The deadline dates for transmitting applications under this notice are listed in the chart on page 2.

ELIGIBLE APPLICANTS: For these two programs, eligible applicants are institutions of higher education as defined in section 1201(a) of the Higher Education Act of 1965, as amended.

APPLICABLE REGULATIONS: (a) The Patricia Roberts Harris' Program Regulations at 34 CFR Part 649, and (b) The Education Department General Administrative Regulations (EDGAR) 34 CFR Part 74 (Administration of Grants to Institutions of Higher Education, Hospitals, and Nonprofit Organizations), Part 75 (Direct Grant Programs), Part 77 (Definitions that Apply to Department Regulations), Part 79 (Intergovernmental Review of Department of Education Programs and Activities), and Part 85 (Governmentwide Debarment and Suspension (Non-procurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)).

FOR APPLICATIONS OR INFORMATION CONTACT: Dr. Charles H. Miller, Program Manager, or Mrs. Barbara J. Harvey, Education Program Specialist, U.S. Department of Education, Division of Higher Education Incentive Programs, 400 Maryland Avenue, S.W., Room 3022, ROB-3, Washington, D.C. 20202-5251, telephone (202) 732-4395 or (202) 732-4863, respectively.

PROGRAM AUTHORITY: 20 U.S.C. 1134d-1134f.

DATED: AUG 8 1989

James B. Williams

James B. Williams
Acting Assistant Secretary
for Postsecondary Education

APPLICATION TRANSMITTAL INSTRUCTIONS

An application for an award must be mailed or hand delivered by the closing date.

Applications Delivered by Mail

An application sent by mail must be addressed to the U.S. Department of Education, Application Control Center, Attention: CFDA Number, 400 Maryland Avenue, SW., Washington, D.C. 20202-4725.

An application must show proof of mailing consisting of one of the following:

(1) A legibly dated U.S. Postal Service Postmark.
(2) A legibly mail receipt with the date of mailing stamped by the U.S. Postal Service.
(3) A dated shipping label, invoice, or receipt from a commercial carrier.
(4) Any other proof of mailing acceptable to the U.S. Secretary of Education.

If an application is sent through the U.S. Postal Service, the Secretary does not accept either of the following as proof of mailing:

(1) A private metered postmark, or
(2) A mail receipt that is not dated by the U.S. Postal Service.

An applicant should note that the U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an applicant should check with its local post office.

An applicant is encouraged to use registered or at least first class mail.

Each late applicant will be notified that its application will not be considered.

Applications Delivered by Hand

An application that is hand delivered must be taken to the U.S. Department of Education, Application Control Center, Room 3633, Regional Office Building 3, 7th and D Streets, SW., Washington, D.C.

The Application Control Center will accept hand delivered applications between 8:00 a.m. and 4:30 p.m. (Washington D.C. time) daily, except Saturdays, Sundays, and Federal holidays.

Applications Delivered by Courier Service

An application that is delivered by a Courier Service should be addressed to U.S. Department of Education, Application Control Center, Room 3633, Regional Office Building 3, 7th and D Street, SW., Washington, D.C. 20024

The Application Control Center will accept deliveries between 8:00 a.m. and 4:30 p.m. (Washington, D.C. time) daily, except Saturdays, Sundays and Federal holidays.

In order for an application sent through a Courier Service to be considered timely, the Courier Service must be in receipt of the application on or before the closing date.

NOTES:

(1) An applicant wishing to know that its application has been received by the Department must include with the application a stamped, self-addressed postcard containing the CFDA number and title of this program.

(2) The applicant must indicate on the envelope and--if not provided by the Department--in Item 10 of the Application for Federal Assistance (Standard Form 424) the CFDA number--and letter, if any--of the competition under which the application is being submitted.

(3) No grant may be awarded unless a completed application form has been received. An institution may submit only one application, except that those institutions with separate campuses or branches with self-contained faculty and administration may submit an application from each campus.

TITLE IX—GRADUATE EDUCATION

SEC. 901. REVISION OF TITLE IX.

(a) AMENDMENT.—Title IX of the Act is amended to read as follows:

"TITLE IX—GRADUATE PROGRAMS

"PART A—GRANTS TO INSTITUTIONS TO ENCOURAGE MINORITY PARTICIPATION IN GRADUATE EDUCATION

"PROGRAM AUTHORIZED

"SEC. 901. The Secretary shall make grants to institutions of higher education to enable such institutions to identify talented undergraduate students who demonstrate financial need and are from minority groups underrepresented in graduate education, and provide such students with an opportunity to participate in a program of research and scholarly activities at such institution

20 USC 1134

designed to provide such students with effective preparation for graduate study in such field or related fields.

"SUBMISSION AND CONTENTS OF APPLICATION

20 USC 1134a.

"SEC. 902. (a) REQUIRED INFORMATION.—Each institution of higher education shall submit an application under this part to the Secretary in such form and containing such information as the Secretary may by regulation prescribe. Each such application shall provide information regarding—

"(1) the program of study, to take the form of summer research internships, seminars, and other educational experiences;

"(2) the institution's plan for identifying and recruiting talented minority undergraduates;

"(3) the participation of faculty in the program and a detailed description of the research in which students will be involved;

"(4) a plan for the evaluation of the effectiveness of the program; and

"(5) such other assurances and information as the Secretary may require by regulation.

"(b) SELECTION REQUIREMENTS.—In making awards to institutions—

"(1) the Secretary shall consider the quality of the research in which students will be involved as well as the recruitment program and program of study; and

"(2) the Secretary shall ensure an equitable geographic distribution among public and private institutions of higher education.

"USE OF FUNDS

20 USC 1134b

"SEC. 903. Awards made to institutions under this part shall be used exclusively to provide direct fellowship aid which may include need-based stipends, room and board costs, transportation costs, and tuition for courses for which credit is given by the institution as approved by the Secretary.

"PART B—PATRICIA ROBERTS HARRIS FELLOWSHIPS

"STATEMENT OF PURPOSE; DESIGNATION OF AWARDS

20 USC 1134d.

"SEC. 921. (a) PURPOSE.—It is the purpose of this part to provide, through institutions of higher education, a program of grants to assist in making available the benefits of a post-baccalaureate education to graduate and professional students who demonstrate financial need.

"(b) DESIGNATION.—Each recipient of such an award under this part shall be known as a 'Patricia Roberts Harris Fellow'.

"PROGRAM AUTHORIZED

20 USC 1134e.

"SEC. 922. (a) GRANTS BY SECRETARY.—The Secretary shall make grants to institutions of higher education to enable such institutions to make grants in accordance with the provisions of this part.

"(b) DISTRIBUTION AND AMOUNTS OF GRANTS.—(1) In making such grants the Secretary shall, to the maximum extent feasible, ensure an equitable geographic distribution of awards and an equitable

distribution among eligible public and independent institutions of higher education.

"(2) Whenever the Secretary determines that an institution of higher education is unable to use all of the amounts available to it under this part, the Secretary shall, on such dates during each fiscal year as the Secretary may fix, reallot such amounts not needed to institutions which can use the grants authorized by this part.

"(c) APPLICATIONS.—Any eligible institution of higher education offering a program of post-baccalaureate study leading to a graduate or professional degree may apply for grants under this part. Each such institution may make an application to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require. Such application may be made on behalf of professional schools, academic departments, or similar organizational units within such institution meeting the requirements of this subsection, including interdisciplinary or interdepartmental programs.

"(d) SELECTION OF APPLICATIONS.—In making grants to institutions of higher education, the Secretary shall—

"(1) take into account present and projected needs for highly trained individuals in all areas of education beyond secondary school;

"(2) take into account present and projected needs for highly trained individuals in other than academic career fields of high national priority; and

"(3) consider the need to prepare a larger number of individuals from minority groups, especially from among such groups which have been traditionally underrepresented in colleges and universities, but nothing contained in this paragraph shall be interpreted to require any institution to grant preference or disparate treatment to the members of one minority group on account of an imbalance which may exist with respect to the total number or percentage of individuals of such group participating in or receiving the benefits of the program authorized in this section, in comparison with the total number or percentage of individuals of such group in any community, State, section, or other area. Minorities

"(e) PRIORITIES FOR FELLOWSHIPS.—The Secretary shall assure that, in making grants under this part, awards are made to—

"(1) individuals who plan to pursue a career in public service; and

"'2) individuals from traditionally underrepresented groups, as determined by the Secretary, undertaking graduate or professional study.

The Secretary shall assure that the amount expended for categories of fellowships described in paragraphs (1) and (2) of this subsection for each fiscal year is not less than the amount expended for each category in fiscal year 1985.

"(f) INSTITUTIONAL PAYMENTS.—From sums required to be expended by the Secretary for grants under subsection (e), the Secretary shall (in addition to the awards made to individuals) pay to the institution of higher education at which such individual is pursuing his or her course of study such amounts as are paid under similar fellowship programs administered through the National Science Foundation and other similar agencies, except that such amount charged to a fellowship recipient and collected from such recipient by the institution for tuition and other expenses required

by the institution as part of the recipient's instructional program shall be deducted from the payments to the institution under this subsection.

"(g) USE FOR RELIGIOUS PURPOSES PROHIBITED.—No fellowship shall be awarded under this part for study at a school or department of divinity.

"AWARD OF FELLOWSHIPS

20 USC 1134f.

"SEC. 923. (a) AWARDS BASED ON NEED.—An institution of higher education receiving funds under this part shall make available to financially needy graduate and professional students an award determined by such institution of higher education, except that no award under this part may exceed the lesser of $10,000, or the demonstrated level of financial need as determined under part F of title IV of this Act.

"(b) REQUIREMENTS FOR AWARD.—No student shall receive an award except during periods in which such student is maintaining satisfactory progress in, and devoting essentially full time to, study or research (including acting as a teaching assistant or research assistant as may be required as a condition to award of a degree) in the field in which such fellowship was awarded and is not engaging in gainful employment, other than part-time employment by the institution of higher education involved in teaching, research, or similar activities, approved by the Secretary. Such period shall not exceed a total of 3 years, except that the Secretary may provide by regulation for the granting of such fellowships for a period of study not to exceed one 12-month period, in addition to the 3-year period set forth in this section, under special circumstances which the Secretary determines would most effectively serve the purposes of this part. The Secretary shall make a determination to provide such 12-month extension of an award to an individual fellowship recipient upon review of an application for such extension by the recipient.

federal register

Wednesday
June 10, 1987

Part IX

Department of Education

34 CFR Part 649

Patricia Roberts Harris Fellowships Program; Final Regulations

DEPARTMENT OF EDUCATION

34 CFR Part 649

Patricia Roberts Harris Fellowships Program

AGENCY: Department of Education.

ACTION: Final regulations.

SUMMARY: The Secretary issues final regulations for the Patricia Roberts Harris Fellowships Program, formerly called the Fellowships for Graduate and Professional Study Program. There are two components of this program—Graduate and Professional Study, and Education for the Public Service. These amendments are needed to conform the regulations to the changes made by the Higher Education Amendments of 1986. These regulatory amendments will, among other things, eliminate the Domestic Mining and Mineral and Mineral Fuel Conservation Fellowships.

EFFECTIVE DATE: These regulations take effect either 45 days after publication in the Federal Register or later if the Congress takes certain adjournments. If you want to know the effective date of these regulations, call or write the U.S. Department of Education contact persons.

FOR FURTHER INFORMATION CONTACT: Dr. Charles H. Miller or Barbara J. Harvey, Patricia Roberts Harris Fellowships Program, Office of Postsecondary Education, U.S. Department of Education, 400 Maryland Avenue, SW., Room 3022, ROB-3, Washington, DC 20202. Telephone: (202) 732-4395 or (202) 732-4863.

SUPPLEMENTARY INFORMATION: The Secretary amends the regulations for the Patricia Roberts Harris Fellowships Program which provides Federal financial assistance to enable institutions of higher education to make fellowship awards in post-baccalaureate education to graduate and professional students who demonstrate financial need.

On October 17, 1986, the President signed into law amendments to Title IX, Part B of the Higher Education Act of 1965, as amended. The revisions in these regulations are necessary to incorporate a number of significant changes in the program as mandated by the Act. As a result of these amendments, the following changes have been made to the regulations:

The name of the Graduate and Professional Study Program is changed to the Patricia Roberts Harris Fellowships Program.

A definition of financial need for fellowship recipients under the Title IX program is added as a provision that no stipend may exceed $10,000 or the demonstrated level of financial need, whichever is less. In addition, financial need must be measured and determined under Part F, Title IV of the Act. In a separate Notice, the Secretary is proposing to establish a maximum stipend level for the Patricia Roberts Harris Fellowships Program of $8,900 for the 1987-88 academic year. This proposed change would increase the stipend level by $2,400 from the previous level of $4,500 for academic year 1986-87. This new maximum stipend level of $6,900 would enable the Secretary to conduct a new competition for both components of the program—Graduate and Professional Study and Education for the Public Service—and also to provide increased stipends to continuing fellows.

The Domestic Mining and Mineral and Mineral Fuel Conservation Fellowships are no longer provided under the program.

Institutional payments are to approximate amounts paid under similar fellowship programs administered through the National Science Foundation and other similar agencies.

No minimum grant amount for institutions is provided.

A requirement is added that the amount expended for categories of Patricia Roberts Harris Fellowships for each fiscal year is not less than the amount expended for each category in fiscal year 1985.

Waiver of Proposed Rulemaking

Under section 431(b)(2)(A) of the General Education Provisions Act (20 U.S.C. 1232(b)(2)(A), and the Administrative Procedure Act, 5 U.S.C. 553, it is the practice of the Secretary to offer interested parties the opportunity to comment on proposed regulations.

Because these regulations merely incorporate mandatory statutory changes required by the Higher Education Amendments of 1986, public comments would have no effect on the content of these regulations. Therefore, the Secretary has determined that publication of a proposed rule is unnecessary and contrary to the public interest under 5 U.S.C. 553(b)(B).

Executive Order 12291

These regulations have been reviewed under Executive Order 12291. They are not classified as major because they do not meet the criteria for major regulations established in the order.

Paperwork Reduction Act of 1980

These regulations have been examined under the Paperwork Reduction Act of 1980 and have been found to contain no information collection requirements.

Assessment of Educational Impact

The Secretary has determined that the regulations in this document do not require transmission of information that is being gathered by or is available from any other agency or authority of the United States.

List of Subjects in 34 CFR Part 649

Colleges and universities, Education, Fellowships, Reporting and recordkeeping requirements.

Dated: May 12, 1987.

William J. Bennett,

Secretary of Education.

(Catalog of Federal Domestic Assistance Number 84.094B—Graduate and Professional Study Fellowships; 84.094C—Public Service Education Fellowships.)

PART 649—[AMENDED]

The Secretary amends Part 649 of Title 34 of the Code of Federal Regulations as follows:

1. The authority citation for Part 649 is revised to read as follows:

Authority: 20 U.S.C. 1134d to 1134f, unless otherwise noted.

2. The title of Part 649 is revised to read as follows:

PART 649—PATRICIA ROBERTS HARRIS FELLOWSHIPS PROGRAM

In Part 649, remove the words "underrepresented groups" and add, in their place, the words "traditionally underrepresented groups" in the following places:

(a) Section 649.4(b);

(b) Section 649.12(a)(2)(i), (a)(2)(iii), (b)(2)(i), (b)(2)(ii) (c)(1), (c)(2), (e), and (f); and

(c) Section 649.13(b).

4. In Part 649, remove the words "Graduate and professional Opportunity Fellowships" and add, in their place, the words "Graduate and Professional Study Fellowships" in the following places:

(a) Section 649.1(b)(1);

(b) Section 649.11(a)(1), (b), and (b)(1)(i); and

(c) Section 649.12(b)(2)(ii).

5. Section 649.1 is amended by removing the semi-colon at the end of paragraph (b)(1) and (b)(2) and by adding, in their place, a period, by removing paragraph (b)(3), by revising the section title and text in paragraph (a), and by adding a new paragraph (c), to read as follows:

§ 649.1 Patricia Roberts Harris Fellowships.

(a) Patricia Roberts Harris Fellowships—referred to in these regulations as the Fellowship Program—provides Federal assistance to enable institutions of higher education to make available fellowship awards in post-baccalaureate education to graduate and professional students who demonstrate financial need.

(Authority: 20 U.S.C. 1134d)

* * * * *

(c) Each recipient of an award under this program is to be known as a "Particia Roberts Harris Fellow."

* * * * *

8. Section 649.3 is revised to read as follows:

§ 649.3 Regulations that apply to the fellowship program.

The following regulations apply to this program:

(a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR Part 74 (Administration of Grants), 34 CFR Part 75 (Direct Grant Programs), Part 77 (Definitions That Apply To Department Regulations), and Part 78 (Education Appeal Board), except that §§ 75.116, 75.117, and 75.232 are inapplicable to this program; and §§ 75.510–75.568 are inapplicable to the institutional allowances to institutions of higher education under this program.

(b) The regulations in this Part 649.

(Authority: 20 U.S.C. 1134d, 1134e)

7. Section 649.4(b) is amended by removing the definitions of "Domestic mining" and "Mineral and mineral fuel conservation", and revising the definitions "Fellow", "Financial need", and "Underrepresented groups" to read as follows:

§ 649.4 Definitions.

* * * * *

(b) * * *

"Fellow" means a recipient of a Patricia Roberts Harris Fellowship under this part.

* * * * *

"Financial need" means, for an academic year, the cost of attendance of a fellow minus the fellow's expected family contribution, as determined under Part F of Title IV of the Act.

* * * * *

"Traditionally underrepresented groups" means minorities and other groups, including women, who historically have been underrepresented in the specific graduate area of study or profession for which a fellowship is awarded.

* * * * *

8. Section 649.10(a) is amended by removing ", and 649.14," by adding "and" between "649.12" and "649.13" and by adding a period after "649.13", and by revising (b)(2) to read as follows:

§ 649.10 How to apply for funds.

* * * * *

(b) * * *

(2) Can demonstrate financial need.

* * * * *

9. Section 649.11 is amended by removing paragraphs (a)(3) and (b)(3), by redesigning paragraphs (b)(4) and (b)(5) as paragraphs (b)(3) and (b)(4), respectively, and by revising paragraphs (a)(1), (c)(3), and the introductory text of paragraph (b) to read as follows:

§ 649.11 How does the Secretary evaluate an application?

(a) *Funding reservations.* (1) The Secretary reserves funds for grants Fellowships under section 922(e) of the Act (referring to the amount the Secretary is required to expend for each category of fellowships) and applicable appropriation statutes.

* * * * *

(b) *Selection criteria.* Subject to the funding reservations, the Secretary—in determining whether to select an institution of higher education for a grant and how many fellowships to authorize under the grant—assesses an application on the basis of the criteria in § 649.12 for Graduate and Professional Study Fellowships and the criteria in § 649.13 for Public Service Education Fellowships.

* * * * *

(c) * * *

(3) An appropriate balance of fellowships with regard to academic areas, taking account of present and projected needs for highly trained individuals in all areas of education beyond secondary school and in other than academic career fields of high national priority.

* * * * *

§ 649.14 [Removed]

10. Section 649.14 is removed.

11. Section 649.30(c) is revised to read as follows:

§ 649.30 What are the criteria for selecting fellows?

* * * * *

(c) Plan to pursue—

(1) An academic career or some other professional career of importance in the academic area of study approved by the Secretary; or

(2) A career in public service.

* * * * *

12. In § 649.42, paragraph (b) is revised to read as follows:

§ 649.42 Fellowship conditions.

* * * * *

(b) Devote essentially full time to study or research (including acting as a teaching or research assistant as may be required as a condition to award of a degree) in the field in which the fellowship was awarded; and

* * * * *

13. In § 649.50, the first sentence in paragraph (a) is revised to read as follows:

§ 649.50 Amount of a fellowship.

(a) The maximum stipend that an institution may award to any fellow for a twelve-month period is $10,000, or the demonstrated level of the fellow's financial need, whichever is less. * * *

* * * * *

14. In § 649.51, paragraph (c) is amended by adding the words "and collects from" after the word "charges", and paragraph (a) is revised to read as follows:

§ 649.51 Institutional allowance.

(a) Under section 922(f) of the Act, the Secretary establishes and pays an institutional allowance for each fellowship in the same amount as is paid under similar fellowship programs administered through the National Science and other similar agencies.

* * * * *

15. Section 649.52 is revised by adding a new paragraph (c) to read as follows:

§ 649.52 Payment procedures.

* * * * *

(c) The Secretary does not award a fellowship under this part for study at a school or department of divinity.

* * * * *

[FR Doc. 87-13221 Filed 6-9-87; 8:45 am]
BILLING CODE 4000-01-M

DEPARTMENT OF EDUCATION

34 CFR Part 649

Graduate and Professional Study Fellowships Program

AGENCY: Department of Education.

ACTION: Final regulations.

SUMMARY: The Secretary of Education amends the regulations for the Graduate and Professional Study Fellowships Program. These regulations are amended to reflect changes as a result of public comment, and to eliminate unnecessary regulatory burdens.

EFFECTIVE DATE: Unless the Congress takes certain adjournments, these regulations will take effect 45 days after publication in the Federal Register. If you want to know if there has been a change in the effective date of these regulations, call or write the Department of Education contact person. At a future date, the Secretary will publish a notice in the Federal Register stating the effective date of these regulations.

FOR FURTHER INFORMATION CONTACT: Donald N. Bigelow, Telephone (202) 245-2147.

SUPPLEMENTARY INFORMATION: Final regulations, with invitation to comment, were published in the Federal Register on January 14, 1981. The public was given 60 days to comment on these regulations. In addition, on March 27, 1981, the Secretary published a notice in the Federal Register of his intent to review Department of Education regulations for the purpose of reducing unnecessary regulatory burdens (46 FR 19000).

Several comments were received on these regulations. These comments along with the Department's efforts to reduce regulatory burdens are addressed below.

Summary of Comments and Responses

The following is a summary of the comments received and the responses of the Secretary of Education.

Comment. One commenter felt that the definition of "financial need" would work to make it difficult to attract good students.

Response. No change has been made in the regulations. The legislation states that students must demonstrate financial need. Section 649.10(b) provides a great amount of flexibility to institutions of higher education in determining financial need for fellows.

Comment. One commenter recommended that "as determined by the institution" be added to the definition of financial need.

Response. This recommendation gives more flexibility to institutions, and, has, therefore, been incorporated into the definition.

Comment. One commenter recommended deleting § 649.10(b)(2) (i-iii) for clarity.

Response. No change has been made in the regulations. This section elaborates on the statutory provisions and provides direction and flexibility to institutions of higher education in determining student financial need.

Comment. One commenter felt the proposed minimum grant of $75,000 was discriminatory and unfair to the smaller schools.

Response. Although this requirement is mandated in the legislation, Congress waived this restriction for FY 1981. The Administration has requested this same waiver in its FY 1982 budget request. However, because this requirement is statutory and the regulation provision also applies to continuation fellowships, no change has been made in the regulations.

Comment. One commenter felt that § 649.11(c)(1) dealing with equitable geographic distribution of grants was meaningless because the regulations do not spell out what this consideration means. Another commenter suggested that one criterion for equitable distribution should be a maximum of one grant per State, and with respect to mining, should give preference to those States with significant mineral and mineral fuel resources.

Response. No change has been made in the regulations. The intent of the legislation is to allow the Secretary discretion in determining an equitable distribution of grants after all applications have been received, reviewed, and evaluated. It would be virtually impossible and unfair to predetermine the number of awards per State because of the varying number of applications received from each State and region.

Comment. One commenter recommended the following addition to § 649.11(c)(2): . . . "and among predominantly minority and predominantly majority institutions."

Response. No change has been made in the regulations. This is not in the statute and cannot be regulated.

Comment. One commenter recommended changing the number of points assigned to the following criteria: Section 649.12(a), (d), and (e)—institutional commitment, program director, and employment opportunities.

Response. It is believed that a change in numerical value for "Institutional commitment" and "Program director" is a better reflection of the value of these criteria, and the points have been changed from 18 to 20 for "Institutional commitment", and from 8 to 6 for "Program director". The numerical value assigned to the "Employment opportunity" criterion was not changed because it was believed the value was appropriate for the objective of this criterion.

Comment. One commenter recommended reducing the numerical value for the criterion "Evidence of underrepresentation" from 10 to 7 points.

Response. No change has been made in the regulations. One of the primary objectives stated in the statute is to serve individuals who have traditionally been underrepresented in graduate and professional careers. The regulations do not identify academic areas in which individuals from minority groups have traditionally been underrepresented. Therefore, it is necessary for institutions of higher education to document the degree of underrepresentation in their request for fellowships in the academic areas which they have chosen. It is believed that reducing the numerical value of this criterion would hinder the program's effectiveness in evaluating this objective.

Comment. One commenter recommended that § 649.12(h)(2) which relates to the appropriateness of the level of the degree, be deleted because of its subjectivity.

Response. No change has been made in the regulations. The statute states that awards are to be made to individuals who plan to pursue a career in public service or to pursue advanced study in domestic mining and mineral and mineral fuel conservation; or who are individuals from traditionally underrepresented groups undertaking graduate or professional study. It is believed that an advanced degree to prepare practitioners in certain professional fields need not always be at the doctoral level. The appropriate level of advanced education should, therefore, be described in the application.

Comment. One commenter recommended adding the word "underrepresented" to § 649.12(g) "Evidence of national need." to read as follows: "The Secretary reviews each application . . . for more highly trained *underrepresented* individuals . . ."

Response. No change has been made in the regulations. This criterion is consistent with the language in the statute.

Comment. One commenter recommended increasing the numerical value of the criterion. § 649.12(h)

"Quality of academic program", from 7 points to 10 points.

Response. No change has been made in the regulations. It is believed the value assigned to this criterion is adequate. Section 649.12 (i) and (j) also are concerned with demonstrating quality.

Comment. One commenter recommended that § 649.20 be deleted because it is redundant with § 649.30.

Response. We agree that § 649.20(b) is redundant and have deleted it from the regulations, however, we believe § 649.20(a) gives direction to the student and should remain in the regulations.

Comment. Two commenters felt that the regulations governing vacated fellowships are confusing and burdensome and serve no useful purpose, and that institutions should be given flexibility and trust in making fellowship awards.

Response. No change has been made in the regulations. It is believed that this is a point on which the Secretary should regulate, since the intent of Congress is that funds be used to support students and not needlessly allowed to lapse. Also, the statutory language prior to 1980 carried specific language allowing the reaward of vacated fellowships, and legislative history would suggest that this policy is consistent with Congressional intent.

Comment. One commenter stated that § 649.53(e) interfered with the overall objective to attract well-qualified students to programs of high national need.

Response: No change has been made in the regulations. This section is consistent with the statute.

Comment: Several commenters felt that the duration of the fellowship year should be revised by substituting "academic year" for "a twelve-month year" to apply to § 649.50 fellowship stipend and § 649.51 institutional allowance.

It was suggested that these changes would avoid penalizing professional or academic programs that do not provide or require enrollment in summer sessions.

Response. No change has been made in the regulations. Students enrolled in advanced degree programs which do not provide or require enrollment in summer sessions are free to work, or engage in some study-related activity such as research or internship for pay.

Burden Reduction in these Regulations

Several provisions have been eliminated from these regulations in an effort to reduce regulatory burdens. These changes include:

Deletion of § 649.4 which defines "Internship", deletion of § 649.20(b) concerning how a student applies for a fellowship; deletion of § 649.40(b) concerning the procedure used by students to apply for a fourth year of support; and § 649.52(a)(2) (b–d) which provides procedures for institutions to follow in the administration of grants.

Invitation to Comment

To assist the Department in complying with the specific requirements of Executive Order 12291 and its overall requirement of reducing regulatory burden, public comment is invited on whether there may be further opportunities to reduce any regulatory burdens found in these regulations.

Citation of Legal Authority

A citation of statutory or other legal authority is placed in parentheses on the line following each substantive provision of these regulations.

(20 U.S.C. 1134e–1134g)

Dated: October 30, 1981.

(Catalog of Federal Domestic Assistance No. 84.094, Graduate and Professional Study Fellowships)

T. H. Bell,

Secretary of Education.

The Secretary amends Part 649 of Title 34 of the Code of Federal Regulations to read as follows:

PART 649—FELLOWSHIPS FOR GRADUATE AND PROFESSIONAL STUDY

Subpart A—General

Sec.
649.1 Fellowships for Graduate and Professional Study.
649.2 Eligible parties.
649.3 Regulations that apply to the Fellowship Program.
649.4 Definitions.

Subpart B—How Does an Institution Apply for and Obtain Approval of its Programs?

649.10 How to apply for funds.
649.11 How does the Secretary evaluate an application?
649.12 What selection criteria does the Secretary use for Graduate and Professional Opportunity Fellowships?
649.13 (RESERVED)
649.14 (RESERVED)

Subpart C—How Does a Person Apply for a Fellowship?

649.20 Application procedures.

Subpart D—How Are Fellows Selected?

Sec.
649.30 What are the criteria for selecting fellows?

Subpart E—What Conditions Must Be Met by an Institution and a Fellow?

649.40 Tenure of fellowship.
649.41 Vacated fellowships.
649.42 Fellowship conditions.

Subpart F—What are the Administrative Responsibilities of the Institution?

649.50 Amount of a fellowship.
649.51 Institutional allowance.
649.52 Payment procedures.

Authority: Part B of Title I of the Higher Education Act, as amended by Pub. L. 96–374 (94 Stat. 1367, 1487; 20 U.S.C. 1134e–1134g).

Subpart A—General

§ 649.1 Fellowships for graduate and professional study.

(a) Fellowships for Graduate and Professional Study—referred to in these regulations as the Fellowship Program—provides Federal assistance to enable institutions of higher education to make available fellowship awards in post-baccalaureate education to graduate and professional students who demonstrate financial need.

(20 U.S.C. 1134d)

(b) An institution of higher education may apply for a grant under this program to award one or more of the following types of fellowships:

(1) *Graduate and Professional Opportunity Fellowships*, awarded to individuals from groups who are underrepresented in graduate or professional study;

(2) *Public Service Education Fellowships*, awarded to individuals who plan to pursue a career in public service;

(3) *Domestic Mining and Mineral and Mineral Fuel Conservation Fellowships*, awarded to individuals who plan to pursue advanced study in domestic mining and mineral and mineral fuel conservation, including oil, gas, coal, oil shale, and uranium.

(20 U.S.C. 1134(e))

2. Section 649.2 is revised to read as follows:

§ 649.2 Eligible parties.

Institutions of higher education as defined in section 1201(a) of the Act are eligible for grants under these regulations.

(20 U.S.C. 1134e; 1141(a))

§ 649.3 Regulations that apply to the fellowship program.

The following regulations apply to this program:

(a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR Part 75 (Direct Grant Programs) and Part 77 (General), except that §§ 75.118, 75.117, and 75.232

are inapplicable to this program and §§ 75.310–.368 are inapplicable to the institutional allowances to institutions of higher education under this program.

(b) The regulations in this Part 649.

(20 U.S.C. 1221e–3)

§ 649.4 Definitions.

* * * * *

(b) The following definitions apply specifically to this part:

"Academic area" means a professional school, academic department, or similar organizational unit within an institution of higher education.

"Academic career beyond high school" means a career as a teacher, administrator, or educational specialist at some level of postsecondary education.

"Act" means the Higher Education Act of 1965, as amended.

"Domestic mining" means the process of extracting from the earth mineral and mineral fuel resources of the United States.

"Fellow" means a fellowship recipient.

"Fellowship" means an award made by an institution of higher education to a person for graduate or professional study under Title IX–B of the Act.

"Financial need" means the difference between a student's projected costs for the year—including books, materials, supplies, room and board, and other reasonable costs—and the student's resources, including available income and other available assets as determined by the institution of higher education that the student will be attending.

"Independent institution" means an institution of higher education, other than one that is publicly controlled, that meets the definition of an institution of higher education in section 1201(a) of the Act.

"Mineral and mineral fuel conservation" is the means by which an adequate supply of the Nation's nonrenewable resources is maintained through exploration of new sources, more efficient extraction of existing reserves, or better use of already processed minerals and mineral fuels.

"Public service education" means the preparation for leadership and management careers in local, State, or national government or in nonprofit community service organizations.

"Underrepresented groups" means minorities and other groups, including women, who are underrepresented in the specific graduate area of study or profession for which the fellowship is awarded.

(20 U.S.C. 1134d–1134g)

Subpart B—How Does an Institution Apply for and Obtain Approval of Its Program?

§ 649.10 How to apply for funds.

(a) In order to apply for a grant under this part, an institution of higher education must submit an application that responds to the appropriate criteria in §§ 649.12, 649.13, and 649.14.

(b) The application must describe how the institution of higher education will select eligible individuals to receive fellowships. This description must include evidence that the selected individual—

(1) Will achieve the academic goals of the fellowship; and

(2) Can demonstrate a level of financial need based on the institution's method or methods which the Secretary approves for determining financial need. An institution may—

(i) Use its own financial need analysis system, which may or may not incorporate or adapt a more general system such as that provided by the College Scholarship Service (CSS), the American College Testing Service (ACT), or the Graduate and Professional School Financial Aid Service (GAPSFAS); or

(ii) Use exclusively one of the systems referred to in paragraph (b)(2)(i) of this section; and

(iii) Using a system described in either paragraph (b)(2) (i) or (ii) of this section, also take into account—as evidence of financial need—an individual's receipt of fellowship assistance under this program.

(20 U.S.C. 1134f(a))

§ 649.11 How does the Secretary evaluate an application?

(a) *Funding reservations.*

(1) The Secretary reserves funds for Graduate and Professional Opportunity Fellowships, Public Service Education Fellowships, and Domestic Mining and Mineral and Mineral Fuel Conservation Fellowships in accordance with section 922(e) of the Act (referring to the amount the Secretary is required to expend for each category of fellowships) and applicable appropriation statutes.

(20 U.S.C. 1134e(e))

(2) Before considering applications that include support for new fellowships, the Secretary provides funds to continue support for qualified students—

(i) Who were awarded fellowships under this program in a previous year; and

(ii) Who are maintaining satisfactory progress as determined by the institution.

(20 U.S.C. 1134f(b))

(3) From the sums appropriated under this program for any fiscal year, the Secretary shall not make to a single institution of higher education a grant less than $75,000, except to the extent that payments are made for continuation fellowships only—without any new fellowship—and the total sum equals less than $75,000.

(20 U.S.C. 1134e(b))

(b) *Selection criteria.*

Subject to the funding reservations, the Secretary—in determining whether to select an institution of higher education for a grant and how many fellowships to authorize under the grant—assesses an application on the basis of the criteria in § 649.12 for Graduate and Professional Opportunity Fellowships; the criteria in § 649.13 for Public Service Education Fellowships; and the criteria in § 649.14 for Domestic Mining and Mineral and Mineral Fuel Conservation Fellowships.

(1)(i) In assessing applications for Graduate and Professional Opportunity Fellowships, the Secretary ranks each academic area in which an applicant proposes to award fellowships. The Secretary ranks each academic area according to the combined scores for institution-wide criteria and criteria for that area.

(ii) The Secretary awards up to 58 possible points for the institution-wide criteria (§ 649.12 (a)–(e)), and up to an additional 44 possible points for the criteria specific to the academic area submitted (§ 649.12 (f)–(k)).

(2) In assessing an application for Public Service Fellowships, the Secretary awards up to 100 possible points.

(3) In assessing an application for Domestic Mining and Mineral and Mineral Fuel Conservation Fellowships, the Secretary awards up to 100 possible points.

(4) The maximum possible score for each criterion is indicated in parentheses following the heading for that criterion.

(5) In evaluating an application from an institution that previously received a grant under this program, the Secretary assesses the extent to which the

previously funded grant achieved its objectives.

(20 U.S.C. 1134e(d) (1) and (2))

(c) *Other considerations.*

For applications of substantially equal quality, the Secretary gives priority to applications that will contribute to achieving the following:

(1) An equitable geographic distribution of grants.

(2) An equitable distribution of awards among eligible public and independent institutions of higher education.

(20 U.S.C. 1134e(b)(1))

(3) An appropriate balance of fellowships with regard to academic areas, taking account of present and projected needs for highly trained individuals in all academic careers beyond the high school level and in other than academic career fields of high national priority.

(20 U.S.C. 1134e(d))

§ 648.12 What selection criteria does the Secretary use for graduate and professional opportunity fellowships?

Institution-Wide Criteria

(a) *Institutional commitment.* (20 points)

(1) The Secretary reviews each application for information that shows the overall strength of an institution's commitment to meet the needs of the students it proposes to serve from underrepresented groups.

(2) The institution may demonstrate this commitment in such ways as the following:

(i) The provision of evidence that the institution's social and academic environment is supportive of the academic success of students from underrepresented groups on the applicant's campus.

(ii) The availability of other sources of financial aid and support mechanisms for these students.

(iii) The hiring of faculty and administrators from underrepresented groups.

(b) *Recruitment plan.* (14 points)

(1) The Secretary reviews each application for information that describes that institution's recruitment plan.

(2) The Secretary looks for information that shows:

(i) An active, aggressive, and imaginative effort to identify and attract qualified individuals from underrepresented groups.

(ii) The applicant's previous and current efforts in attracting and successfully preparing students from underrepresented groups for careers, including Graduate and Professional Opportunity Fellows, and other graduate and professional and undergraduate students.

(c) *Net increase of underrepresented students.* (8 points)

The Secretary reviews each application for information that shows that the proposed arrangements to assign the fellowships to the approved academic areas—

(1) Will result in a net increase of students from underrepresented groups in each area; and

(2) Will not result in a decrease in the amount of the institution's own financial support available for other students from underrepresented groups in the academic area and in the institution as a whole.

(d) *Program director.* (8 points)

The Secretary reviews each application for information that shows that the director has clear responsibilities, ample time, and sufficient institutional or academic authority to coordinate the overall administration of the program.

(e) *Employment opportunities.* (8 points)

The Secretary reviews each application for information that shows that the institution's educational program leads to immediate career opportunities in the graduate or professional study areas for which students from underrepresented groups have been recruited.

Academic Area Criteria

(f) *Evidence of underrepresentation.* (10 points)

The Secretary reviews each application for evidence that the students whom the institution proposes to recruit are from underrepresented groups in the proposed academic areas.

(g) *Evidence of national need.* (10 points)

The Secretary reviews each application for information that justifies the need for more highly trained individuals in academic careers beyond the high school level or in other career fields of high national priority.

(h) *Quality of academic program.* (7 points)

(1) The Secretary reviews each application for information that shows high quality of the academic program in terms of course offerings and academic requirements for students.

(2) The Secretary also looks for information that shows the appropriateness of the level of the degree to prepare the individual for an academic or professional career.

(i) *Quality of key faculty.* (7 points)

(1) The Secretary reviews each application for information that shows the qualifications of the faculty in the academic area.

(2) The Secretary looks for information that shows that the background, education, research interests, and relevant experience of the faculty qualify them to plan and implement a successful program of high academic quality.

(j) *Adequacy of resources.* (3 points)

(1) The Secretary reviews each application for information that shows that the applicant plans to devote adequate resources to the academic area.

(2) The Secretary looks for information that shows—

(i) The facilities that the applicant plans to use are adequate; and

(ii) The equipment that the applicant plans to use is adequate.

(k) *Special orientations and experiences.* (3 points)

The Secretary reviews each application for information that shows the applicant plans to provide special orientations, practical experiences, and necessary assistance designed to prepare fellowship recipients for academic careers or other professional careers of high national priority.

(20 U.S.C. 1134e(d) (1) and (2); 1134e(e)(3))

§ 648.13 (RESERVED)

§ 648.14 (RESERVED)

Subpart C—How Does a Person Apply for a Fellowship?

§ 648.20 Application procedures.

A student applies directly to an institution of higher education that has received an allocation of fellowships.

(20 U.S.C. 1134f(a))

Subpart D—How Are Fellows Selected?

§ 648.30 What are the criteria for selecting fellows?

To receive a fellowship, a person must—

(a) Have been accepted for or be enrolled in a program of study leading to a postbaccalaureate graduate degree—such as a doctor of philosophy or doctor of arts—or to a postbaccalaureate professional degree—such as doctor of jurisprudence or master of business administration—necessary for professional practice in a given field;

(b) Have been accepted for or be enrolled in the program referred to in paragraph (a) of this section at an

institution of higher education that has received a grant:

(c) Plan to pursue—

(1) An academic career or some other professional career of importance in the academic area of study approved by the Secretary;

(2) A career in public service; or

(3) A career in domestic mining or mineral fuel conservation.

(d)(1) Be a national of the United States;

(2) Be in the United States for other than a temporary purpose and intend to become a permanent resident; or

(3) Be a permanent resident of the Trust Territories of the Pacific Islands.

(e) Demonstrate financial need under an approved financial need analysis system as described in § 649.10(b).

(20 U.S.C. 1134e)

Subpart E—What Conditions Must Be Met by an Institution and a Fellow?

§ 649.40 Tenure of fellowship.

(a) A fellowship award is for a period of up to 36 months.

(b)(1) A fellow who maintains satisfactory progress in his or her course of study may have the fellowship renewed annually, subject to the availability of funds.

(2) However, no fellow may receive assistance under this fellowship for more than 36 months of support except as provided in paragraph (c) of this section.

(c)(1) Depending on the availability of funds and under special circumstances, the Secretary may provide for a fellowship extension of not more than 12 months in addition to the 36 months of support a fellow receives under this program. Generally, special circumstances would be the need for additional months to complete the doctorate or equivalent degree.

(2) The institution of higher education must request approval for the additional support in its application and must request appropriate sums in the proposed budget.

(20 U.S.C. 1134f)

§ 649.41 Vacated fellowships.

(a)(1) If a fellow vacates a fellowship prior to the end of the first year of the award, the institution of higher education to which the fellowship is allocated may reaward the fellowship to another individual.

(2) This individual must meet the eligibility requirements stated in § 649.30 and be chosen in accordance with the institution's fellowship award procedures.

(b) A fellow awarded a vacated fellowship may apply for renewal of the fellowship for up to 36 months.

(c)(1) Second and third year continuation fellowships must be for the same individual who held the fellowship at the end of the first academic year.

(2) If a continuation fellowship is vacated after the first year, it may not be awarded to another individual. The fellowship terminates at that time.

(d) If a fellow graduates at any time during tenure of the fellowship, the fellowship terminates at that time.

(20 U.S.C. 1134f(b))

§ 649.42 Fellowship conditions.

In order to continue to receive payments under a fellowship, a fellow must:

(a) Maintain satisfactory progress as determined by the institution of higher education;

(b) Devote essentially full time to study or research in the field in which the fellowship was awarded; and

(c) Not engage in gainful employment during the period of the fellowship, except on a part-time basis in teaching, research, or similar activities approved by the Secretary.

(20 U.S.C. 1134f(b))

Subpart F—What Are the Administrative Responsibilities of the Institution?

§ 649.50 Amount of a fellowship.

(a) The maximum stipend that an institution may award to any fellow for a twelve-month year is $4,500 or the fellow's financial need, whichever is less. A fellow who is enrolled in the institution's approved program for an entire academic year, that includes a summer session(s), will be considered to be enrolled in the program for the full 12 months.

(b) A fellow who is enrolled in the program for fewer than 12 months shall receive a pro rata share of the stipend.

(20 U.S.C. 1134f(a))

§ 649.51 Institutional allowance.

(a) In accordance with section 922(f) of the Act, the Secretary pays an institutional allowance to an institution of higher education in the amount of $3,900 per 12-month period for each fellowship allocated to that institution.

(b) If the fellow is enrolled for fewer than 12 months, the Secretary pays the institution of higher education a pro rata share of this amount.

(c) If the institution of higher education charges a fellow for tuition or nonrefundable fees that are required by the institution as a part of the fellow's instructional program, the Secretary deducts that amount from the institutional allowance.

(d) The institutional allowance is in lieu of any administrative or other costs for an institution of higher education. The allowance is not subject to restrictions on allowable costs.

(20 U.S.C. 1134e(f))

§ 649.52 Payment procedures.

(a)(1) The Secretary pays to the institution of higher education the fellowship stipends and institutional allowances.

(b) If an institution of higher education is unable to use all of the amounts available to it under this program, the Secretary will—on such dates each fiscal year as determined by the Secretary—reallot the amounts not needed to institutions of higher education which can use the grants authorized under this program.

(20 U.S.C. 1134e(f), 1134f(a))

[FR Doc. 81-1345 Filed 1-13-81; 8:45 am]
BILLING CODE 4000-01-M

APPLICATION INSTRUCTIONS AND FORMS:

The appendix to this application is divided into three parts. These parts are organized in the same manner that the submitted application should be organized. The parts are as follows:

Part I: Application for Federal Assistance (Standard Form 424)(Rev. 4-88) and Instructions.

Part II: Data Sheet.

Part III: Application Narrative.

Assurances--Non-Construction Programs (Standard Form 424B).

Certification regarding Debarment, Suspension, and Other Responsibility Matters: Primary Covered Transactions (ED Form GCS-008) and Instructions.

Certification regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion: Lower Tier Covered Transactions (ED Form GCS--009) and Instructions.

(NOTE: ED Form GCS-009 is intended for the use of primary participants and should not be transmitted to the Department.)

Certification Regarding Drug-Free Workplace Requirements: Grantees Other Than Individuals (ED 80-004).

Certification Regarding Drug-Free Workplace Requirements: Grantees Who Are Individuals (ED 80-0005).

An applicant may submit information on a photostatic copy of the application and data sheet, the assurances, and the certification. However, the application forms, the assurances, and the certification must each have an original signature.

THE SIGNED IN INK ORIGINAL AND TWO COPIES OF THE APPLICATION (i.e. PART I) AND ONE COPY OF THE MOST RECENT GRADUATE CATALOG ARE TO BE FORWARDED TO THE APPLICATION CONTROL CENTER.

OMB Approval No. 0348-004

APPLICATION FOR FEDERAL ASSISTANCE

2. DATE SUBMITTED	Applicant Identifier
3. DATE RECEIVED BY STATE	State Application Identifier
4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier

1. TYPE OF SUBMISSION:

Application	Preapplication
☐ Construction	☐ Construction
☐ Non-Construction	☐ Non-Construction

5. APPLICANT INFORMATION

Legal Name:	Organizational Unit:
Address (give city, county, state, and zip code):	Name and telephone number of the person to be contacted on matters involving this application (give area code)

6. EMPLOYER IDENTIFICATION NUMBER (EIN):

☐☐ – ☐☐☐☐☐☐☐

7. TYPE OF APPLICANT: (enter appropriate letter in box) ☐

A. State
B. County
C. Municipal
D. Township
E. Interstate
F. Intermunicipal
G. Special District
H. Independent School Dist.
I. State Controlled Institution of Higher Learning
J. Private University
K. Indian Tribe
L. Individual
M. Profit Organization
N. Other (Specify) _____

8. TYPE OF APPLICATION:

☐ New ☐ Continuation ☐ Revision

If Revision, enter appropriate letter(s) in box(es): ☐ ☐

A. Increase Award B. Decrease Award C. Increase Duration
D. Decrease Duration Other (specify):

_____

9. NAME OF FEDERAL AGENCY:

10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 8 4 . 0 9 4B

TITLE: Graduate & Professional Study Fellowships Program

11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:

12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.):

13. PROPOSED PROJECT:		14. CONGRESSIONAL DISTRICTS OF:	
Start Date	Ending Data	a. Applicant	b. Project

15. ESTIMATED FUNDING:

a. Federal	$	.00
b. Applicant	$	.00
c. State	$	.00
d. Local	$	.00
e. Other	$	.00
f. Program Income	$	.00
g. TOTAL	$	.00

16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?

a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON

DATE _____

b. NO. ☐ PROGRAM IS NOT COVERED BY E.O. 12372

☐ OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW

17. IS THE APPLICANT DELINQUENTION ANY FEDERAL DEBT?

☐ Yes If "Yes," attach an explanation. ☐ No

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED

a. Typed Name of Authorized Representative	b. Title	c. Telephone number
d. Signature of Authorized Representative		e. Date Signed

Previous Editions Not Usable

Standard Form 424 (REV 4-88)
Prescribed by OMB Circular A-10.

Authorized for Local Reproduction

INSTRUCTIONS FOR THE SF 424

This is a standard form used by applicants as a required facesheet for preapplications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

Item: Entry:

1. Self-explanatory.
2. Date application submitted to Federal agency (or State if applicable) & applicant's control number (if applicable).
3. State use only (if applicable).
4. If this application is to continue or revise an existing award, enter present Federal identifier number. If for a new project, leave blank.
5. Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of the applicant, and name and telephone number of the person to contact on matters related to this application.
6. Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service.
7. Enter the appropriate letter in the space provided.
8. Check appropriate box and enter appropriate letter(s) in the space(s) provided:
   - "New" means a new assistance award.
   - "Continuation" means an extension for an additional funding/budget period for a project with a projected completion date.
   - "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation.
9. Name of Federal agency from which assistance is being requested with this application.
10. Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested.
11. Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.

Item: Entry:

12. List only the largest political entities affected (e.g., State, counties, cities).
13. Self-explanatory.
14. List the applicant's Congressional District and any District(s) affected by the program or project.
15. Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate *only* the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15.
16. Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process.
17. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.
18. To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)

FORM APPROVED
OMB NO. 1840-0508
FORM EXPIRES 7/91

GRADUATE AND PROFESSIONAL STUDY FELLOWSHIPS DATA SHEET

PART II

The Following information is to be entered:

NEW FELLOWSHIPS ONLY

Number of Fellowships Requested	No. Fellowship Months	Academic Area and Degree
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
TOTALS _____	_____	

CONTINUATION FELLOWSHIPS
2nd and 3rd YEAR ONLY

Number of Fellowships Requested	No. Fellowship Months	Academic Area and Degree
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
TOTALS _____	_____	

DISCLOSURE OF BURDEN STATEMENT

PUBLIC REPORTING BURDEN FOR THIS COLLECTION OF INFORMATION IS ESTIMATED TO AVERAGE FOUR HOURS PER RESPONSE, INCLUDING THE TIME FOR REVIEWING INSTRUCTIONS, SEARCHING EXISTING DATA SOURCES, GATHERING AND MAINTAINING THE DATA NEEDED, AND COMPLETING AND REVIEWING THE COLLECTION OF INFORMATION. SEND COMMENTS REGARDING THIS BURDEN ESTIMATE OR ANY OTHER ASPECT OF THIS COLLECTION OF INFORMATION, INCLUDING SUGGESTIONS FOR REDUCING THIS BURDEN, TO THE U.S. DEPARTMENT OF EDUCATION, INFORMATION MANAGEMENT AND COMPLIANCE DIVISION, WASHINGTON, D.C. 20202-4651; AND TO THE OFFICE OF MANAGEMENT AND BUDGET, PAPERWORK REDUCTION PROJECT 1840-0603, EXPIRATION DATE: 7/91, WASHINGTON, D.C. 20503.

INSTRUCTIONS FOR PART II -- SELF-EXPLANATORY

INSTRUCTIONS FOR PART III -- APPLICATION NARRATIVE

Before preparing the Application Narrative, an applicants should become familiar with the law, regulations, and the selection criteria governing the program. These documents are included in this application package. The narrative should encompass each function or activity for which funds are being requested, and should - (1) Begin with a one-page Abstract; that is, a summary of the proposed project; (2) Describe the proposed project in light of each of the selection criteria in the order the criteria are listed on page E6 in this booklet; (3) Include any other pertinent information that might assist the Secretary in reviewing the application; and (4) Applications should include a description of the financial need analysis system or method to be used in determining the level of each fellow's financial need.

NOTE: It is recommended that the total narrative for this program application must not exceed 40 double spaced, typed pages (on one side only). Any letters of cooperation or commitment, or any other relevant material may be attached as appendixes. But appendixes and attachments may not exceed a total of 20 pages.

NO GRANTS MAY BE AWARDED UNLESS A COMPLETED APPLICATION FORM HAS BEEN RECEIVED.

APPENDIX

OMB Approval No. 0348-0040

ASSURANCES — NON-CONSTRUCTION PROGRAMS

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C.§§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. §§ 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program andto purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION	DATE SUBMITTED

SF 424B (4-88) Back

CERTIFICATIONS

New requirements published in the FEDERAL REGISTER, Vol. 53, No. 102, (pages 19160-19211) May 26, 1988, requires that the FY-90 application packages and other materials provided to applicants will include the following two certification forms:

1. ED Form GCS-008, Certification Regarding Debarment, Suspension, and Other Responsibility Matters -- Primary Covered Transactions; and

2. ED Form GCS-009, Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion -- Lower Tier Covered Transactions.

Sign and submit with your application ED Form GCS-008, Certification Regarding Debarment, Suspension, and other Responsibility Matters -- Primary Covered Transactions. Before completing the certification, read instructions on the reverse of the form. If unable to certify, attach an explanation to the application.

A copy of ED Form GCS-009, Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion -- Lower Tier Covered Transactions, is provided for inclusion in all lower tier covered transactions and in all solicitations for lower covered transactions.

Certification Regarding
Debarment, Suspension, and Other Responsibility Matters
Primary Covered Transactions

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 34 CFR Part 85, Section 85.510, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19160-19211). Copies of the regulations may be obtained by contacting the U.S. Department of Education, Grants and Contracts Service, 400 Maryland Avenue, S.W. (Room 3633 GSA Regional Office Building No. 3), Washington, D.C. 20202-4725, telephone (202) 732-2505.

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Organization Name | PR/Award Number or Project Name

Name and Title of Authorized Representative

Signature | Date

ED Form GCS-008, (REV.12/88)

Instructions for Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

4. The prospective primary participant shall provide immediate written notice to the department or agency to whom this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion--Lower Tier Covered Transactions," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Certification Regarding
Debarment, Suspension, Ineligibility and Voluntary Exclusion
Lower Tier Covered Transactions

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 34 CFR Part 85, Section 85.510, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19160-19211). Copies of the regulations may be obtained by contacting the person to which this proposal is submitted.

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Organization Name | PR/Award Number or Project Name

Name and Title of Authorized Representative

Signature | Date

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion--Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

DRUG-FREE WORKPLACE

DEFINES AS A SITE FOR THE PERFORMANCE OF WORK DONE IN CONNECTION WITH A SPECIFIC CONTRACT AT WHICH EMPLOYEES OF THE CONTRACTOR ARE PROHIBITED FROM ENGAGING IN THE UNLAWFUL MANUFACTURE, DISTRIBUTION, DISPENSING, POSSESSION OR USE OF A CONTROLLED SUBSTANCE.

BY SIGNING A SOLICITATION, AN OFFER OR AN AWARD DOCUMENT, THE CONTRACTOR CERTIFIES COMPLIANCE WITH THE LAW. THE PROCEDURE IS SO NEW, RIGHT NOW, COMPLIANCE MONITORING TAKES PLACE THROUGH SELF-CERTIFICATION.

COMPLIANCE WITH THE NEW REGULATIONS -- A RESULT OF THE DRUG-FREE WORKPLACE ACT OF 1988 - WENT INTO EFFECT MARCH 18, IS BASED ON THE WORD OF THE CONTRACTOR WHO CERTIFIES THE WORKPLACE IS DRUG FREE. ALL PERSONS RECEIVING FEDERAL GRANTS-IN-AID MUST COMPLY WITH THE DRUG-FREE REGULATIONS. ALSO, INDIVIDUALS -- SUCH AS TEACHERS OR LECTURERS - WHO RECEIVE LESS THAN $25,000 IN GOVERNMENT FUNDS MUST COMPLY WITH THE REGULATIONS.

Certification Regarding Drug-Free Workplace Requirements
Grantees Other Than Individuals

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988, 34 CFR Part 85, Subpart F. Th regulations, published in the January 31, 1989 Federal Register, require certification by grantees, prior to award, that they will maintain a drug-free workplace. The certification set out below is a material representation of fact upon which reliance will be placed when the agency determines to award the grant. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of grants, or governmentwide suspension or debarment (see 34 CFR Part 85, Sections 85.615 and 85.620).

The grantee certifies that it will provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing a drug-free awareness program to inform employees about--

(1) The dangers of drug abuse in the workplace;
(2) The grantee's policy of maintaining a drug-free workplace;
(3) Any available drug counseling, rehabilitation, and employee assistance programs; and
(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will--

(1) Abide by the terms of the statement; and
(2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;

(e) Notifying the agency within ten days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction;

(f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted--

(1) Taking appropriate personnel action against such an employee, up to and including termination; or
(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

Organization Name _____ PR/Award Number or Project Name _____

Name and Title of Authorized Representative _____

Signature _____ Date _____

Certification Regarding Drug-Free Workplace Requirements
Grantees Who Are Individuals

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988, 34 CFR Part 85, Subpart F. The regulations, published in the January 31, 1989 Federal Register, require certification by grantees, prior to award, that their conduct of grant activity will be drug-free. The certification set out below is a material representation of fact upon which reliance will be placed when the agency determines to award the grant. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of grants, or governmentwide suspension or debarment (see 34 CFR Part 85, Sections 85.615 and 85.620).

The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in conducting any activity with the grant.

Organization Name (As Appropriate) PR/Award Number or Project Name

Printed Name

Signature Date

ED 80-0005

IMPORTANT NOTICE
TO PROSPECTIVE PARTICIPANTS
IN USDE CONTRACT AND GRANT PROGRAMS

GRANTS

Applicants for grants from the U.S. Department of Education (USDE) have to compete for limited funds.

Deadlines assure all applicants that they will be treated fairly and equally, without last minute haste.

For these reasons, USDE must set strict deadlines for grant applications. Prospective applicants can avoid disappointment if they understand that –

Failure to meet a deadline will mean that an application will be rejected without any consideration whatever.

The rules, including the deadline, for applying for each grant are published, individually, in the Federal Register. A one-year subscription to the Register may be obtained by sending $340.00 to: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402-9371. (Send check or money order only, no cash or stamps.)

The instructions in the Federal Register must be followed exactly. Do not accept any other advice you may receive. No USDE employee is authorized to extend any deadline published in the Register.

Questions regarding submission of applications may be addressed to:

U.S. Department of Education
Application Control Center
Washington, D.C. 20202

CONTRACTS

Competitive procurement actions undertaken by the USDE are governed by the Federal Procurement Regulations and implementing ED Procurement Regulations.

Generally, prospective competitive procurement actions are synopsized in the Commerce Business Daily (CBD). Prospective offerors are therein advised of the nature of the procurement and where to apply for copies of the Request for Proposals.

Offerors are advised to be guided solely by the contents of the CBD synopsis and the instructions contained in the Request for Proposals (RFP). Questions regarding the submission of offers should be addressed to the Contracting Officer identified on the face page of the RFP.

Offers are judged in competition with others, and failure to conform with any substantive requirements of the RFP will result in rejection of the offer without any consideration whatever.

Do not accept any advice you receive that is contrary to instructions contained in either the CBD synopsis or the RFP. No USDE employee is authorized to consider a proposal which is non-responsive to the RFP.

A subscription to the CBD is available for $173.00 per year via non-priority mail or $243.00 per year via priority mail. Information included in the Federal Acquisition Regulations is contained in Title 48, Code of Federal Regulations, Chapter 1 ($90.00). The foregoing publication may be obtained by sending your check or money order only, no cash or stamps, to:

Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20402-9371

In an effort to be certain this important information is widely disseminated, this notice is being included in all USDE mail to the public. You may, therefore, receive more than one notice. If you do, we apologize for any annoyance it may cause you.

* U.S. Government Printing Office : 1989 - 241-085/01109

Grant Application Receipt Acknowledgement

If you fail to receive the notification of application receipt within fifteen (15) days from the date you mailed the application, call:

U.S. Department of Education
Application Control Center
(202) 732-2495

U.S. DEPARTMENT OF EDUCATION
WASHINGTON, D.C. 20202-4725

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